

Order

Michigan Supreme Court
Lansing, Michigan

September 12, 2017

Stephen J. Markman,
Chief Justice

155570

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen
Kurtis T. Wilder,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 155570
COA: 336467
St. Clair CC: 16-001652-FH

DANA LYNN COOK,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 21, 2017 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of the following issues: (1) whether the defendant's plea was conditional and reserved her right to appeal, (2) whether the defendant waived appeal of the trial court's decision denying her an evidentiary hearing under Section 8 of the Michigan Medical Marihuana Act, MCL 333.26421 *et seq.*, if her guilty plea was not conditional, and (3) if the defendant has preserved her right to appeal, whether the trial court erred in denying defendant a Section 8 evidentiary hearing.



d0906

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 12, 2017

Handwritten signature of Larry S. Royster in black ink.

Clerk